



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

March 15, 2016

Jim Mena, General Manager
Delta Trading Water System
17731 Millux Road
Bakersfield, CA 93311

RE: DELTA TRADING WATER SYSTEM (SYSTEM NO.1503660), COMPLIANCE ORDER FOR VIOLATION OF MAXIMUM CONTAMINANT LEVEL (MCL) FOR FLUORIDE

Dear Mr. Mena:

Enclosed is Compliance Order No. 03_19_16R_003 that the State Water Resources Control Board (State Board)-Division of Drinking Water is issuing to the Delta Trading Water System (hereinafter Water System) for a violation of the California Safe Drinking Water Act. The Water System has been serving water to consumers that violates the primary maximum contaminant level (MCL) for fluoride of 2.0 milligrams-per-liter (mg/L). As discussed in the compliance order, the Water System shall develop and implement a plan to resolve the MCL violation for fluoride to ensure compliance with the drinking water standards.

Please note that on or before March 31, 2016, the Water System is required to submit a written response to the Division indicating its agreement to comply with the directives of the compliance order and with the Corrective Action Plan addressed in the said compliance order. **On or before June 30, 2016, the Water System is required to present the Corrective Action Plan, required under Directive No. 6 of the compliance order, to the State Board in person at the State Board's office, located at 4925 Commerce Drive, Suite 120, Bakersfield, California 93309. The deadline to achieve compliance with the fluoride MCL is June 30, 2019.** Until the State Board determines that the Water System is in compliance with the fluoride MCL, you must continue to provide quarterly public notification for fluoride and also conduct quarterly fluoride monitoring of Well 03. After providing quarterly public notification, a copy of the public notice along with a completed Certification of Public Notification form (**Attachment B** of the compliance order) should be submitted to the State Board's Bakersfield office. **Failure to comply with deadlines and directives specified in the compliance order will result in further enforcement action by the State Board.**

If you have any questions regarding this matter, please contact me at (661) 335-7318 or Carl Carlucci, Supervising Sanitary Engineer at (559) 447-3132.

Sincerely,

Jaswinder S. Dhaliwal, P.E.
Senior Sanitary Engineer, Tehachapi District
Southern California Branch
DRINKING WATER FIELD OPERATIONS

Enclosure: Compliance Order No. 03_19_16R_003

CC: Kern County Department of Environment Health
Dennis Gatson, Contract Sampler, McMor Chlorination, Inc.

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

1
2 CALIFORNIA
3 STATE WATER RESOURCES CONTROL BOARD
4 DIVISION OF DRINKING WATER

5 TO: Delta Trading Water System; System No.1503660

6 ATTN: Jim Mena, General Manager
7 Delta Trading Water System
8 17731 Millux Road
9 Bakersfield, CA 93311

10 CERTIFIED MAIL

11 COMPLIANCE ORDER NO. 03_19_16R_003
12 FOR
13 VIOLATION OF HEALTH AND SAFETY CODE SECTION 1166555 (a)(1)
14 AND THE PRIMARY DRINKING WATER STANDARD FOR FLUORIDE
15 Issued March 15, 2016

16 The State Water Resources Control Board (hereinafter "State Board"), acting by and through
17 its Division of Drinking Water (hereinafter "Division") and the Deputy Director for the Division
18 (hereinafter "Deputy Director"), hereby issues this compliance order (hereinafter "Order")
19 pursuant to Section 116655 of the California Health and Safety Code (hereinafter "CHSC") to
20 Delta Trading Water System for violation of CHSC section 116555(a)(1) and Title 22,
21 California Code of Regulations (hereinafter "CCR"), Section 64431.

22 APPLICABLE AUTHORITIES

23 CHSC, Section 116555(a)(1) states in relevant part:

24 (a) Any person who owns a public water system shall ensure that the system does all of the
25 following:

26 (1) Complies with primary and secondary drinking water standards.
27

CHSC, Section 116655 states in relevant part:

(a) Whenever the State Board determines that any person has violated or is violating this chapter, or any permit, regulation, or standard issued or adopted pursuant to this chapter, the director may issue an order doing any of the following:

- (1) Directing compliance forthwith.
- (2) Directing compliance in accordance with a time schedule set by the State Board.
- (3) Directing that appropriate preventive action be taken in the case of a threatened violation.

(b) An order issued pursuant to this section may include, but shall not be limited to, any or all of the following requirements:

- (1) That the existing plant, works, or system be repaired, altered, or added to.
- (2) That purification or treatment works be installed.
- (3) That the source of the water supply be changed.
- (4) That no additional service connection be made to the system.
- (5) That the water supply, the plant, or the system be monitored.
- (6) That a report on the condition and operation of the plant, works, system, or water supply be submitted to the State Board.

Title 22, CCR, Section 64431 (hereinafter "Section 64431"), states in relevant part:

Public water systems shall comply with the primary MCLs in table 64431-A as specified in this article.

**Table 64431-A
Maximum Contaminant Levels
Inorganic Chemicals**

<i>Chemical</i>	<i>Maximum Contaminant Level, mg/L</i>
Aluminum	1.
Antimony	0.006
Fluoride	0.010
Asbestos	7 MFL*
Barium	1.
Beryllium	0.004
Cadmium	0.005
Chromium	0.05
Cyanide	0.15
Fluoride	2.0
Hexavalent chromium	0.010
Mercury	0.002
Nickel	0.1
Nitrate (as NO ₃)	45.
Nitrate+Nitrite (sum as nitrogen)	10.

<i>Chemical</i>	<i>Maximum Contaminant Level, mg/L</i>
Nitrite (as nitrogen)	1.
Perchlorate	0.006
Selenium	0.05
Thallium	0.002

* MFL=million fibers per liter; MCL for fibers exceeding 10 um in length.

Title 22, CCR Section 64432 (hereinafter "Section 64432") provides in relevant part:

Section 64432

...

(g) If the level of any inorganic chemical, except for nitrate, nitrite, nitrate plus nitrite, or perchlorate, exceeds the MCL, the water supplier shall do one of the following:

(1) Inform the State Board within 48 hours and monitor quarterly beginning in the next quarter after the exceedance occurred; or

(2) Inform the State Board within seven days from the receipt of the analysis and, as confirmation, collect one additional sample within 14 days from receipt of the analysis. If the average of the two samples collected exceeds the MCL, this information shall be reported to the State Board within 48 hours and the water supplier shall monitor quarterly beginning in the next quarter after the exceedance occurred.

(h) If the concentration of an inorganic chemical exceeds ten times the MCL, within 48 hours of receipt of the result the water supplier shall notify the State Board and resample as confirmation. The water supplier shall notify the State Board of the result(s) of the confirmation sample(s) within 24 hours of receipt of the confirmation result(s).

(1) If the average concentration of the original and confirmation sample(s) is less than or equal to ten times the MCL, the water supplier shall monitor quarterly beginning in the quarter following the quarter in which the exceedance occurred.

(2) If the average concentration of the original and confirmation sample(s) exceeds ten times the MCL, the water supplier shall, if directed by the State Board;

(A) Immediately discontinue use of the contaminated water source; and

(B) Not return the source to service without written approval from the State Board.

(i) Compliance with the MCLs shall be determined by a running annual average; if any one sample would cause the annual average to exceed the MCL, the system is immediately in violation. If a system takes more than one sample in a quarter, the average of all the results

for that quarter shall be used when calculating the running annual average. If a system fails to complete four consecutive quarters of monitoring, the running annual average shall be based on an average of the available data.

STATEMENT OF FACTS

The State Board is informed by the Delta Trading Water System (hereinafter "Water System") and believes that the Water System is a non-transient non-community water system, located in Kern County that supplies water for domestic purposes to approximately 25 individuals through approximately 11 service connections. An interim approval letter to operate the Water System was issued by the State Board to the Water System on January 20, 2015. The Water System is a non-transient non-community public water system as defined in CHSC, section 116275.

The Water System utilizes one groundwater well (Well 03; PS Code: 1503660-001) as its source of domestic water. Arsenic removal treatment is provided to the well water using adsorption. Chlorination treatment is also provided to the well water. Title 22, CCR, Division 4, Chapter 15, Article 4, establishes primary drinking water standards and monitoring and reporting requirements for inorganic constituents. Community and non-transient non-community water systems must comply with the maximum contaminant level for fluoride of 2.0 mg/L, as established in Title 22 CCR Section 64431.

Samples collected from Well 03 on January 29, 2015, showed a fluoride concentration of 2.2 mg/L. Therefore, in accordance with Section 64431 (g), the Water System was required to begin quarterly fluoride monitoring of Well 03 unless it chose to submit an additional sample,

which it did not do. Section 64432(i) provides that compliance with the fluoride MCL is based on a running annual average (RAA) of the quarterly monitoring samples, computed each quarter. Further, Section 64432 (i) states: "if any one sample would cause the annual average to exceed the MCL, the system is immediately in violation."

A summary of the Water System's quarterly fluoride monitoring is presented in Table 1 below. All results are as reported to the State Board by the laboratory that performed the analyses.

Table 1: Well 03 Fluoride Monitoring Results and RAA Values (mg/L)

Sample Date	Well 03 - Result	Quarterly Average Value	Well 03 - RAA
10/29/2014 (4 th Quarter of 2014)	0.18	0.2	N/A
01/29/2015 (1 st Quarter of 2015)	2.2	2.2	N/A
04/06/2015 (2 nd Quarter of 2015)	2.9	2.9	N/A
07/01/2015 (3 rd Quarter of 2015)	3.1	2.9	2.1
08/14/2015 (3 rd Quarter of 2015)	2.8		
08/26/2015 (3 rd Quarter of 2015)	2.9		
10/28/2015 (4 th Quarter of 2015)	3.1	3.1	2.8
01/18/2016 (1 st Quarter of 2016)	3.2	3.2	3.0

As shown in Table 1 above, the calculated RAA values from the 3rd quarter of 2015 to the 1st quarter of 2016, for the results of fluoride samples collected from Well 03, exceed the fluoride MCL of 2.0 mg/L. By a letter dated January 14, 2016, the State Board notified the Water System of its determination of the violation of the fluoride MCL and directed the Water System to continue quarterly monitoring for fluoride, provide Tier 2 public notification to the customers, and submit proof of notification to the State Board. A copy of the letter is provided as **Attachment A**. Based on a review of the response received from the Water System, the

Water System provided public notification on January 26, 2016, for the fluoride MCL violation for the 4th quarter of 2015, and the State Board received a copy of the public notice and proof of notification on March 11, 2016. According to the directives of the above-mentioned letter dated January 14, 2016, the Water System was required to provide the public notification by January 31, 2016, and submit the proof of notification to the State Board within 10 days of providing the public notification. It is noted that the proof of notification was due on February 10, 2016, and it was received late.

As shown in Table 1, Well 03 was sampled on January 18, 2016 (first quarter of 2016), for fluoride and the result was 3.2 mg/L. The calculated RAA value for the first quarter of 2016 is 3.0 mg/L, exceeding the fluoride MCL of 2.0 mg/L. Therefore, public notification for the fluoride MCL violation for the first quarter of 2016 is due. The public notification template provided as **Attachment B** should be used for providing quarterly public notification.

DETERMINATIONS

Based on the above Statement of Facts, the State Board has determined that the Water System has violated the CHSC, Section 116555 and Section 64431 in that the water produced by Well 03 exceeded the fluoride MCL, as shown in Table 1 above. Furthermore, the State Board has determined that said violation has continued from the 3rd quarter of 2015 to the 1st quarter of 2016 for Well 03.

DIRECTIVES

The Delta Trading Water System is hereby directed to take the following actions:

1. On or before **June 30, 2019**, comply with Title 22, CCR, Section 64431 and remain in compliance.
2. On or before **March 31, 2016**, submit a written response to the State Board indicating its agreement to comply with the directives of this Order and with the Corrective Action Plan addressed herein.
3. Commencing on the date of service of this Order, provide quarterly public notification in accordance with **Attachment B**, hereto, of Water System's failure to meet the fluoride MCL during any calendar quarter that the four-quarter running annual average exceeds the MCL. **Quarterly public notification for fluoride MCL violation in the first quarter of 2016 is now due and shall be provided by March 31, 2016.**
4. Commencing on the date of service of this Order, submit proof of each public notification conducted in compliance with Directive No. 3, herein above, within 10 days following each such notification, using the form provided as **Attachment C**, hereto. **By April 10, 2016, the Water System shall submit the proof of notification to the State Board for the public notification for the fluoride MCL violation for the first quarter of 2016.**
5. Commencing on the date of service of this Order collect quarterly samples for fluoride

- 1
- 2 from Well 03, as required by Section 64432(g), and ensure that the analytical results
- 3 are reported to the State Board electronically by the analyzing laboratory no later than
- 4 the 10th day following the month in which the analysis was completed.
- 5
- 6
- 7 6. Prepare for State Board approval a Corrective Action Plan identifying improvements to
- 8 the water system designed to correct the water quality problem (violation of the fluoride
- 9 MCL) and ensure that the Water System delivers water to consumers that meets
- 10 primary drinking water standards. The plan shall include a time schedule for
- 11 completion of each of the phases of the project such as design, construction, and
- 12 startup, and a date as of which the Water System will be in compliance with the
- 13 fluoride MCL, which date shall be no later than June 30, 2019.
- 14
- 15 7. On or before **June 30, 2016**, present the Compliance Action Plan required under
- 16 Directive No. 6, above, to the State Board in person at the State Board's offices
- 17 located at 4925 Commerce Drive, Suite 120, Bakersfield, CA 93309.
- 18
- 19 8. Timely perform the State Board approved Compliance Action Plan and each and every
- 20 element of said plan according to the time schedule set forth therein.
- 21
- 22 9. On or before **September 30, 2016**, and every three months thereafter, submit a report
- 23 to the State Board in the form provided as **Attachment D**, hereto, showing actions
- 24 taken during the previous calendar three months to comply with the Corrective Action
- 25 Plan.
- 26
- 27

10. Not later than ten (10) days following the date of compliance with the fluoride MCL, demonstrate to the State Board that the water delivered by Water System complies with the fluoride MCL.

11. Notify the State Board in writing no later than five (5) days prior to the deadline for performance of any Directive set forth herein if Water System anticipates it will not timely meet such performance deadline.

All submittals required by this Order shall be addressed to:

Jaswinder S. Dhaliwal, P.E., Senior Sanitary Engineer
State Water Resources Control Board
Division of Drinking Water, Tehachapi District
4925 Commerce Drive, Suite 120
Bakersfield, CA 93309

As used in this Order, the date of issuance shall be the date of this Order; and the date of service shall be the date of service of this Order, personal or by certified mail, on the Water System.

The State Board reserves the right to make such modifications to this Order and/or to issue such further order(s) as it may deem necessary to protect public health and safety. Such modifications may be issued as amendments to this Order and shall be deemed effective upon issuance.

Nothing in this Order relieves Water System of its obligation to meet the requirements of the California SDWA, or any regulation, standard, permit or order issued thereunder.

PARTIES BOUND


This Order shall apply to and be binding upon the Water System, its owners, shareholders, officers, directors, agents, employees, contractors, successors, and assignees.

SEVERABILITY

The Directives of this Order are severable, and the Water System shall comply with each and every provision hereof, notwithstanding the effectiveness of any other provision.

FURTHER ENFORCEMENT ACTION

The California SDWA authorizes the Board to: issue a citation with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any regulation, permit, standard, citation, or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the Board to take action to suspend or revoke a permit that has been issued to a public water system if the public water system has violated applicable law or regulations or has failed to comply with an order of the Board; and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with an order of the Board. The Board does not waive any further enforcement action by issuance of this Order.


Carl L. Carlucci, P.E., Chief
Central California Section
State Water Resources Control Board
Division of Drinking Water

3-15-2016
Date



Certified Mail No. 7015 1660 0000 0781 8091

Attachments

Attachment A: Letter dated January 14, 2016 from the State Board
Attachment B: Fluoride Public Notification Template
Attachment C: Certification of Completion of Public Notification Template
Attachment D: Quarterly Progress Report Template

cc: Kern County Environmental Health Services Department (w/o attachments)
Dennis Gatson, Contract Sampler & Distribution Operator (via email)

State Water Resources Control Board
Division of Drinking Water

Attachment A

January 14, 2016
System No. 1503660

Jim Mena, General Manager
Delta Trading Water System
17731 Millux Road
Bakersfield, CA 93311

RE: PUBLIC NOTIFICATION FOR VIOLATION OF THE MAXIMUM CONTAMINANT LEVEL (MCL) FOR FLUORIDE FOR DELTA TRADING WATER SYSTEM

Dear Mr. Mena:

By a letter dated January 20, 2015, the State Water Resources Control Board (hereinafter State Board), Division of Drinking Water granted interim approval to operate the Delta Trading Water System (hereinafter Water System), and directed the Water System to conduct quarterly fluoride monitoring of Well 03 (PS Code 1503660-001), based on the results of the samples collected in 2013, being above the fluoride maximum contaminant level (MCL) of 2.0 mg/L. The fluoride results that have been submitted to the State Board are summarized in the table below, with the calculated Running Annual Average (RAA). **Enclosed (Enclosure 1)** with this letter is a report from the State Board's water quality database and laboratory reports showing the fluoride results.

Sample Date	Well 03 (PS Code 1503660-001)	Running Annual Average Value (mg/L)	Remarks
10/29/14 (4 th Qtr. 2014)	0.18 mg/L	--	
01/29/15 (1 st Qtr. 2015)	2.2 mg/L	--	
04/06/15 (2 nd Qtr., 2015)	2.9 mg/L	--	
07/01/15 (3 rd Qtr. 2015)	3.1 mg/L	2.0 mg/L	RAA Value = MCL
08/14/15 (3 rd Qtr. 2015)	2.8 mg/L		
08/26/15 (3 rd Qtr. 2015)	2.9 mg/L		
10/28/15 (4 th Qtr. 2015)	3.1 mg/L	2.8 mg/L	RAA Value > MCL

The above table shows the fluoride RAA values for third and fourth quarters of 2015 for Well 03. The RAA value has been calculated based on quarterly samples collected during the 3rd quarter of 2014, and the 1st, 2nd, 3rd, and 4th quarters of 2015. **As shown in the above table, RAA value for the 4th quarter of 2015 was 2.8 mg/L, compared to the fluoride MCL of 2.0 mg/L. Therefore, the State Board has determined that Well 03 is in violation of the Fluoride MCL and directs the Water System to provide public notification as follows:**

1. The Water System shall issue Tier 2 public notification to the customers served by the Delta Trading Water System. **Enclosed (Enclosure 2)** is a copy of the public notice for issuing to the customers of the Water System. **The public notice shall be issued before January 31, 2016.**
2. Within 10 days of issuing the fluoride public notice, the Water System shall forward copies of the public notice and completed *Certification of Completion of Public Notification* form to the State Board. Enclosed (**Enclosure 3**) is a blank *Certification of Completion of Public Notification* form.
3. The Water System shall continue to conduct quarterly fluoride monitoring of Well 03, track RAA value, provide Tier 2 notification (within 30 days of receipt of the quarterly results) for each quarter with a RAA value of 2.1 mg/L or higher, and submit copies of the public notice and completed *Certification of Completion of Public Notification* form to the State Board, within 10 days of issuing the public notice.

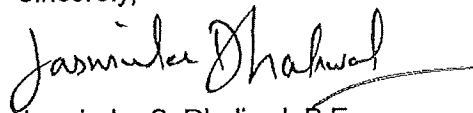
The State Board will be soon issuing a compliance order to the Water System to document the fluoride MCL violation. In the compliance order, the Water System will be required to provide a plan and time schedule to comply with the fluoride MCL.

We note that the Water System currently has a treatment plant for removing arsenic from Well 03. To check effectiveness of the existing treatment plant to remove fluoride, some samples were collected from the treatment plant effluent in 2015. **The results of these samples show that the arsenic removal plant does not remove much fluoride.** According to the State Board's water quality database, a sample collected on August 26, 2015, from the treatment plant effluent showed a fluoride result of 2.7 mg/L, compared to a fluoride result of 2.9 mg/L in the raw water from Well 03 (see Table on page 1). Before adding any additional treatment, the Water System must first submit the plans and specifications to the State Board and obtain written approval.

As a reminder, all chemical water quality monitoring data obtained for the Water System's source(s) and treatment plant should continue to be submitted to the State Board via electronic data transfer (EDT), using the Primary Station Code assigned to each facility.

If you have any questions regarding this letter, please contact Dawn Carlton in our office at (661) 335-7324.

Sincerely,



Jaswinder S. Dhaliwal, P.E.
Senior Sanitary Engineer, Tehachapi District
SOUTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS

Delta Trading Water System – Public Notification due to Fluoride MCL Failure
January 14, 2016
Page 3

Enclosures:

Enclosure 1: Fluoride Results Report from State Board's Water Quality Database
Enclosure 2: Tier 2 Public Notice for Fluoride MCL Violation
Enclosure 3: Certification of Completion of Public Notification Form

cc: Kern County Environmental Health Department (w/o enclosures)
McMor Chlorination, Designated Operator & Sampler

JSD/dc

Enclosure 1

Fluoride Results Report from State Board's Water Quality Database

DATE: 1/14/2016

STATE OF CALIFORNIA
 DRINKING WATER ANALYSES RESULTS REPORT
 ALL SAMPLES FOR SELECTED CONSTITUENTS - ALL RESULTS
 FOR SAMPLE DATE RANGE OF 20140101 THRU 20160114
 REPORT OF SYSTEM: 1503660

PAGE 1

SYSTEM NO: 1503660 NAME: DELTA TRADING WATER SYSTEM

COUNTY: KERN

SOURCE NO: 001 NAME: WELL #3

CLASS: PTGA

STATUS: Active

PSCODE	GROUP/CONSTITUENT IDENTIFICATION	DATE	RESULT *	MCL	DLR	TRIGGER	UNIT
1503660001	1503660 DELTA TRADING WATER SYSTEM	001	WELL #3				
	IO INORGANIC						
	00951 FLUORIDE (F) (NATURAL-SOURCE)	2014/10/29	.1800	2.000	0.100	2.000	MG/L
	00951 FLUORIDE (F) (NATURAL-SOURCE)	2015/01/29	2.2000 *	2.000	0.100	2.000	MG/L
	00951 FLUORIDE (F) (NATURAL-SOURCE)	2015/04/06	2.9000 *	2.000	0.100	2.000	MG/L
	00951 FLUORIDE (F) (NATURAL-SOURCE)	2015/07/01	3.1000 *	2.000	0.100	2.000	MG/L
	00951 FLUORIDE (F) (NATURAL-SOURCE)	2015/08/14	2.8 *	2.000	0.100	2.000	MG/L
	00951 FLUORIDE (F) (NATURAL-SOURCE)	2015/08/26	2.9 *	2.000	0.100	2.000	MG/L
	00951 FLUORIDE (F) (NATURAL-SOURCE)	2015/10/28	3.1 *	2.000	0.100	2.000	MG/L

DATE: 1/14/2016

STATE OF CALIFORNIA
DRINKING WATER ANALYSES RESULTS REPORT
ALL SAMPLES FOR SELECTED CONSTITUENTS - ALL RESULTS
FOR SAMPLE DATE RANGE OF 20140101 THRU 20160114
REPORT OF SYSTEM: 1503660

PAGE 2

SYSTEM NO: 1503660

NAME: DELTA TRADING WATER SYSTEM

COUNTY: KERN

SOURCE NO: 003

NAME: ARSENIC TREATMENT PLANT EFFLUENT

CLASS: OTHR

STATUS: Active

PSCODE	GROUP/CONSTITUENT IDENTIFICATION	DATE	RESULT *	MCL	DLR	TRIGGER	UNIT
1503660003	1503660 DELTA TRADING WATER SYSTEM	003	ARSENIC TREATMENT PLANT EFFLUENT				
	IO INORGANIC						
	00951 FLUORIDE (F) (NATURAL-SOURCE)	2015/08/26	2.7 *	2.000	0.100		2.000 MG/L

Enclosure 2

Tier 2 Public Notice for Fluoride MCL Violation

Instructions for Tier 2 Fluoride MCL Notice Template
(This template is intended for sources in which fluoride occurs naturally)

Template Attached

Since exceeding the fluoride maximum contaminant level (MCL) is a Tier 2 violation, you must provide public notice to persons served as soon as practical but within 30 days after you learn of the violation [California Code of Regulations, Title 22, Chapter 15, Section 64463.4(b)]. **Each water system required to give public notice must submit the notice to the Department for approval prior to distribution or posting, unless otherwise directed by the Department [64463(b)].**

Notification Methods

You must use the methods summarized in the table below to deliver the notice to consumers. If you mail, post, or hand deliver, print your notice on letterhead, if available.

<i>If You Are a...</i>	<i>You Must Notify Consumers by...</i>	<i>...and By One or More of the Following Methods to Reach Persons Not Likely to be Reached by the Previous Method...</i>
Community Water System [64463.4(c)(1)]	Mail or direct delivery ^(a)	Publication in a local newspaper
		Posting in public places served by the water system or on the Internet ^(b)
		Delivery to community organizations
Non-Community Water System [64463.4(c)(2)]	Posting in conspicuous locations throughout the area served by the water system ^(b)	Publication in a local newspaper or newsletter distributed to customers
		Email message to employees or students
		Posting on the Internet or intranet ^(b)
		Direct delivery to each customer

(a) Notice must be distributed to each customer receiving a bill including those that provide their drinking water to others (e.g., schools or school systems, apartment building owners, or large private employers), and other service connections to which water is delivered by the water system.

(b) Notice must be posted in place for as long as the violation or occurrence continues, but in no case less than seven days.

The notice attached is appropriate for the methods described above. However, you may wish to modify it before using it for posting. If you do, you must still include all the required elements and leave the health effects and notification language in italics unchanged. This language is mandatory [64465].

Multilingual Requirement

Spanish. Each public notice must contain information in Spanish regarding (1) the importance of the notice or (2) contain a telephone number or address where Spanish-speaking residents may contact the water system to obtain a translated copy of the public notice or assistance in Spanish.

Non-English Speaking Groups Other than Spanish-Speaking. For each group that exceeds 1,000 residents or 10% of the residents in the community served, whichever is less, the public notice must (1) contain information in the appropriate language(s) regarding the importance of the notice or (2) contain a telephone number or address where such residents may contact the water system to obtain a translated copy of the notice or assistance in the appropriate language.

Population Served

Make sure it is clear who is served by your water system -- you may need to list the areas you serve.

Alternative Sources of Water

If you are providing alternative sources of water, your notice should say where to obtain it. Remember that bottled water can also be high in fluoride if the bottler uses water from your system. Make sure the bottled water meets standards by contacting the bottler and asking for the most recent test results.

Corrective Action

In your notice, describe corrective actions you are taking. Do not use overly technical terminology when describing treatment methods. Listed below are some steps commonly taken by water systems with fluoride violations. Use one or more of the following actions, if appropriate, or develop your own:

- "We are working with [local/state agency] to evaluate the water supply and researching options to correct the problem. These options may include treating the water to remove fluoride or connecting to [system]'s water supply."
- "We have stopped using the contaminated well. We have increased pumping from other wells, and we are investigating drilling a new well."
- "We will increase the frequency at which we test the water for fluoride."
- "We have since taken samples at this location and had them tested. They show that we meet the standards."

After Issuing the Notice

Send a copy of each type of notice and a certification that you have met all the public notice requirements to the Department within ten days after you issue the notice [64469(d)]. You should also issue a follow-up notice in addition to meeting any repeat notice requirements the Department sets.

It is recommended that you notify health professionals in the area of the violation. People may call their doctors or dentists with questions about how the violation may affect their health, and the doctors or dentists should have the information they need to respond appropriately.

It is a good idea to issue a "problem corrected" notice when the violation is resolved.

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.
Tradúzcalo o hable con alguien que lo entienda bien.

Delta Trading Water System Has Levels of Fluoride Above the Drinking Water Standard

Our water system recently violated a drinking water standard. Although this is not an emergency, as our customers, you have a right to know what you should do, what happened, and what we are doing to correct this situation.

We routinely monitor for the presence of drinking water contaminants. Water sample results collected on January 29, 2015 (1st Quarter 2015) to October 28, 2015 (4th Quarter 2015) showed that *the drinking water provided by Delta Trading Water System has an average fluoride concentration of 2.8 mg/L*. This is above the standard, or maximum contaminant level (MCL), of 2.0 mg/L. Fluoride MCL compliance is based on running annual average value from last four consecutive quarters.

What should I do?

- **Children under the age of nine should use an alternative source of water that is low in fluoride.** You may also want to contact your dentist about proper use by young children of fluoride-containing products.
- This is not an emergency. If it had been, you would have been notified immediately. Rather, *this is an alert about your drinking water and a cosmetic dental problem that might affect children under nine years of age. At low levels, fluoride can help prevent cavities, but children drinking water containing more than 2 milligrams per liter (mg/L) of fluoride may develop cosmetic discoloration of their permanent teeth (dental fluorosis).*
- *Dental fluorosis may result in a brown staining and/or pitting of the permanent teeth. This problem occurs only in developing teeth, before they erupt from the gums. Children under nine should be provided with alternative sources of drinking water or water that has been treated to remove the fluoride to avoid the possibility of staining and pitting of their permanent teeth. You may also want to contact your dentist about proper use by young children of fluoride-containing products. Older children and adults may safely drink the water.*
- *Drinking water containing more than 4 mg/L of fluoride can increase your risk of developing bone disease. Although bone disease may develop in anyone exposed to years of drinking water containing more than 4 mg/L of fluoride, dental fluorosis can occur after a relatively short period of exposure (i.e. months) in children under the age of nine.*

- For other health issues concerning the consumption of this water, you may wish to consult your doctor.
- *Some home water treatment units are also available to remove fluoride from drinking water. To learn more about available home water treatment units, you may call the California Department of Health Services Water Treatment Device Unit at (916) 449-5600 or visit the Department's website at <http://www.cdph.ca.gov/certlic/device/Pages/watertreatmentdevices.aspx>.*

What happened? What is being done?

Fluoride contamination is rarely due to human activity. Fluoride occurs naturally in some areas and is found in high concentrations in our source water.

We will be working with the State Water Resources Control Board to achieve compliance with the fluoride MCL. For more information, please contact Jessie Gatewood, Regulatory Coordinator, Delta Trading at 661-805-6134 or the State Water resources Control Board, Division of Drinking Water at (661) 335-7315.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail.

Secondary Notification Requirements

Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:

- **SCHOOLS:** Must notify school employees, students, and parents (if the students are minors).
- **RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS** (including nursing homes and care facilities): Must notify tenants.
- **BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS:** Must notify employees of businesses located on the property.

This notice is being sent to you by *Delta Trading*.

State Water System ID#: 1503660.

Date distributed: _____

Certification of Completion of Public Notification
(Include a Copy of Public Notice with the Certification of Public Notification)

This form, when completed and returned to the Division of Drinking Water – Tehachapi District (4925 Commerce Drive, Suite 120, Bakersfield, CA 93309 or fax to 661-335-7316), serves as certification that public notification to water users was completed as required by Title 22, California Code of Regulations, Sections 64463-64465.

Public Water System Name: Delta Trading Water System

Public Water System No.: 1503660

Public notification for Fluoride MCL Violation of Well 03 (PS Code 1503660-001) was performed by the following method(s) (check and complete those that apply):

- ☐ The notice was mailed to users on: _____
A copy of the notice is attached.
- ☐ The notice was hand delivered to water customers on: _____
A copy of the notice is attached.
- ☐ The notice was published in the local newspaper on: _____
A copy of the newspaper notice is attached.
- ☐ The notice was posted at conspicuous places on: _____
A copy of the notice is attached.
A list of locations the notice was posted is attached.
- ☐ The notice was delivered to community organizations on: _____
A copy of the notice is attached.
A list of community organizations the notice was delivered to is attached.

I hereby certify that the above information is factual.

Printed Name

Title

Signature

Date

Disclosure: Be advised that Section 116725 and 116730 of the California Health and Safety Code state that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for separate violation each day that the violation continues. In addition, the violators may be prosecuted in criminal court and, upon conviction, be punished by a fine of not more than \$25,000 for each day of violation, or be imprisoned in the county jail not to exceed one year, or by both the fine and imprisonment.

Due to the State Board within 10 days of issuance of notice to customers and no later than January 31, 2016

Enforcement No.: Pending

Instructions for Tier 2 Fluoride MCL Notice Template
(This template is intended for sources in which fluoride occurs naturally)

Template Attached

Since exceeding the fluoride maximum contaminant level (MCL) is a Tier 2 violation, you must provide public notice to persons served as soon as practical but within 30 days after you learn of the violation [California Code of Regulations, Title 22, Chapter 15, Section 64463.4(b)]. **Each water system required to give public notice must submit the notice to the Department for approval prior to distribution or posting, unless otherwise directed by the Department [64463(b)].**

Notification Methods

You must use the methods summarized in the table below to deliver the notice to consumers. If you mail, post, or hand deliver, print your notice on letterhead, if available.

<i>If You Are a...</i>	<i>You Must Notify Consumers by...</i>	<i>...and By One or More of the Following Methods to Reach Persons Not Likely to be Reached by the Previous Method...</i>
Community Water System [64463.4(c)(1)]	Mail or direct delivery ^(a)	Publication in a local newspaper
		Posting in public places served by the water system or on the Internet ^(b)
		Delivery to community organizations
Non-Community Water System [64463.4(c)(2)]	Posting in conspicuous locations throughout the area served by the water system ^(b)	Publication in a local newspaper or newsletter distributed to customers
		Email message to employees or students
		Posting on the Internet or intranet ^(b)
		Direct delivery to each customer

(a) Notice must be distributed to each customer receiving a bill including those that provide their drinking water to others (e.g., schools or school systems, apartment building owners, or large private employers), and other service connections to which water is delivered by the water system.

(b) Notice must be posted in place for as long as the violation or occurrence continues, but in no case less than seven days.

The notice attached is appropriate for the methods described above. However, you may wish to modify it before using it for posting. If you do, you must still include all the required elements and leave the health effects and notification language in italics unchanged. This language is mandatory [64465].

Multilingual Requirement

Spanish. Each public notice must contain information in Spanish regarding (1) the importance of the notice or (2) contain a telephone number or address where Spanish-speaking residents may contact the water system to obtain a translated copy of the public notice or assistance in Spanish.

Non-English Speaking Groups Other than Spanish-Speaking. For each group that exceeds 1,000 residents or 10% of the residents in the community served, whichever is less, the public notice must (1) contain information in the appropriate language(s) regarding the importance of the notice or (2) contain a telephone number or address where such residents may contact the water system to obtain a translated copy of the notice or assistance in the appropriate language.

Population Served

Make sure it is clear who is served by your water system -- you may need to list the areas you serve.

Alternative Sources of Water

If you are providing alternative sources of water, your notice should say where to obtain it. Remember that bottled water can also be high in fluoride if the bottler uses water from your system. Make sure the bottled water meets standards by contacting the bottler and asking for the most recent test results.

Corrective Action

In your notice, describe corrective actions you are taking. Do not use overly technical terminology when describing treatment methods. Listed below are some steps commonly taken by water systems with fluoride violations. Use one or more of the following actions, if appropriate, or develop your own:

- "We are working with [local/state agency] to evaluate the water supply and researching options to correct the problem. These options may include treating the water to remove fluoride or connecting to [system]'s water supply."
- "We have stopped using the contaminated well. We have increased pumping from other wells, and we are investigating drilling a new well."
- "We will increase the frequency at which we test the water for fluoride."
- "We have since taken samples at this location and had them tested. They show that we meet the standards."

After Issuing the Notice

Send a copy of each type of notice and a certification that you have met all the public notice requirements to the Department within ten days after you issue the notice [64469(d)]. You should also issue a follow-up notice in addition to meeting any repeat notice requirements the Department sets.

It is recommended that you notify health professionals in the area of the violation. People may call their doctors or dentists with questions about how the violation may affect their health, and the doctors or dentists should have the information they need to respond appropriately.

It is a good idea to issue a "problem corrected" notice when the violation is resolved.

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.
Tradúzcalo o hable con alguien que lo entienda bien.

Delta Trading Water System Has Levels of Fluoride Above the Drinking Water Standard

Our water system recently violated a drinking water standard. Although this is not an emergency, as our customers, you have a right to know what you should do, what happened, and what we are doing to correct this situation.

We routinely monitor for the presence of drinking water contaminants. Water sample results collected from _____ (____ Quarter _____) to _____ (____ Quarter _____) showed that *the drinking water provided by Delta Trading Water System has an average fluoride concentration of ____ mg/L.* This is above the standard, or maximum contaminant level (MCL), of 2.0 mg/L. Fluoride MCL compliance is based on running annual average value from last four consecutive quarters.

What should I do?

- **Children under the age of nine should use an alternative source of water that is low in fluoride.** You may also want to contact your dentist about proper use by young children of fluoride-containing products.
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Public Water System Name: Delta Trading Water System

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Printed Name

Title

Signature

Date

Disclosure: Be advised that Section 116725 and 116730 of the California Health and Safety Code state that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for separate violation each day that the violation continues. In addition, the violators may be prosecuted in criminal court and, upon conviction, be punished by a fine of not more than \$25,000 for each day of violation, or be imprisoned in the county jail not to exceed one year, or by both the fine and imprisonment.

Due to the State Board within 10 days of issuance of notice to customers and no later than January 31, 2016

Enforcement No.: 03-19-16R-003

Quarterly Progress Report

Water System: Delta Trading	Water System No.: 1503660
Compliance Order No.: 03_19_16R_003	Violation: Fluoride MCL
Calendar Quarter:	Date Prepared:

This form should be prepared and signed by Water System personnel with appropriate authority to implement the directives of the Compliance Order and the Corrective Action Plan. Please attach additional sheets as necessary. The quarterly progress report must be submitted by the 10th day of each subsequent quarter, to the Division of Drinking Water, Tehachapi District Office.

Summary of Compliance Plan:

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Tasks completed in the reporting quarter:

--

Tasks remaining to complete:

--

Anticipate compliance date:

--

--

Name

--

Signature

--

Title

--

Date